

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF GEORGIA  
ALBANY DIVISION

MICHAEL NEWCOMB and  
KATHY NEWCOMB,

CIVIL ACTION FILE NO.  
15-CV-00080-LAG

Plaintiffs,  
v.

SPRING CREEK COOLER, INC., et al.,

Defendants.

/

**DEFENDANTS' VOIR DIRE QUESTIONS**

COMES NOW, Defendants and make the following Voir Dire as follows:

1. Do any of you know, or have any of you ever heard of any of the following persons or entities:

Michael Newcomb

Kathy Newcomb

Terril Scott

Eddie T. Scott

Waldine B. Scott

Jack Brinson

Ronald Smalls

Javier Lara

Willie Norman

Maria Castro

Rhonda Schiffner

Chris Strothoff

Spring Creek Cooler

Spring Creek Produce

SF Farms

SF Exports

T & L Farms

T S Equipment Leasing

L & W Farms

WW Produce

Dr. Timothy Eckel

Dr. Paul Horchos

Dr. William Azeredo

Dr. Richard Bennett

Dr. George Kirkham

2. Have any of you ever filed a lawsuit where you sought a monetary award, that is you were the plaintiff?
3. Have any of you ever been sued, that is you were a defendant?
4. Have any of you worked in the insurance industry adjusting claims?
5. Do any of you have such a strong feeling or favor towards farmers, farming or the farming industry that you could not render a fair and impartial verdict in this case?
  - (a) Why do you have such feelings?
  - (b) Will they cause you to give special treatment either for or against Spring Creek Cooler in this case?
6. Have any of you or your close friends or family members ever had any bad or negative experience whatsoever in a warehouse? With a forklift? With a tractor trailer? Please describe. Do you feel that you could not render a fair and impartial verdict in this case?
7. Do any of you disagree with the proposition of law that a corporation should be afforded equal treatment under the law as an individual person?
9. Is there anyone of you that would refuse to apply the law, as charged to you by the Judge, if you did not like that rule of law?

10. Have any of you ever worked in a warehouse? In the farming industry?  
In the trucking industry? In a job where you operated heavy equipment?  
In a job where you operated or worked around a forklift? In a job where  
you drove a delivery truck?
  - (a) What were your duties?
  - (b) Who was your employer?
  - (c) How long?
11. Is there any reason any of you could not be fair to Plaintiffs in this case?
12. Is there any reason any of you could not be fair to Spring Creek Cooler in  
this case?
13. Do any of you believe that a plaintiff should be awarded a verdict in a case  
solely because he or she filed a lawsuit?
14. Have any of you ever worked in the legal field or had any legal training?  
Please give the details.
15. How many of you have ever served on a civil jury?
  - (a) Where?
  - (b) When?
  - (c) What kind of case was it?

16. Do any of you know one another?
  - (a) Who?
  - (b) How?
17. Have any of you ever worked for a company that was sued in a situation where you were involved somehow, either as a material witness or otherwise?
  - (a) What kind of case?
  - (b) When?
  - (c) With what results?
  - (d) Who was their lawyer?
18. Are any of you in any business where you call on lawyers or do business with lawyers?
  - (a) What business?
  - (b) For whom?
  - (c) Where?
19. Are there any of you who for any reason feel that you cannot render a fair and impartial verdict in this case based on the evidence and the law which the judge will give you in charge?
21. Have any of you or your family members ever worked in loss prevention in any capacity?

22. Have you or your family members ever worked as a security guard or in the security business?
25. Have any of you ever filed a wrongful termination claim?
  - (a) What kind of case?
  - (b) When?
  - (c) With what results?
26. Have any of you ever filed a claim for personal injury?
27. Have any of you ever filed a claim for workers' compensation?
29. Have you or a close friend or family member ever suffered a traumatic head injury?
30. Have you or a close friend or family member ever suffered hearing loss?
31. Have you or a close friend or family member ever suffered a ringing in the ears?
32. Have you or a close friend or family member ever suffered balance issues?
33. Have you or a close friend or family member ever suffered an injury that left you unable to drive a motor vehicle on an extended or permanent basis?
34. Have you or a close friend or family member ever suffered an injury that caused mood or personality changes on an extended or permanent basis?
28. Have any of you ever been treated by a psychologist or psychiatrist?

31. Have you or any of your immediate family members ever worked in law enforcement? If so,

- (a) For whom?
- (b) When?
- (c) Where?
- (d) What position was held?

32. Have you or any of your immediate family members ever served in the military? If so,

- (a) For whom?
- (b) When?
- (c) Where?
- (d) What position was held?

McLAIN & MERRITT, P.C.

/s/ Mark L. Pickett  
Mark L. Pickett  
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The undersigned counsel certifies that the foregoing **Voir Dire** has been prepared with one of the font and point selections approved by the court in LR 5.1B.

/s/ Mark L. Pickett  
Mark L. Pickett

**CERTIFICATE OF SERVICE**

This is to certify that on July 26, 2019, I electronically filed a VOIR DIRE with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to attorneys of record.

/s/ Mark L. Pickett  
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